

AFFIDAVIT

I, DANIELLE R. GAJEWSKI, a Special Agent (SA) of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), United States Department of Justice, being duly sworn under oath, hereby depose and state:

1. I am a law enforcement officer of the United States, and under 18 U.S.C. § 3051. I am empowered by the Attorney General to conduct investigations, enforce criminal, seizure, and forfeiture provisions of the laws of the United States, carry firearms, serve warrants and subpoenas issued under the authority of the United States, make arrests without a warrant for any offense against the United States committed in my presence, and make arrests for a felony offense under the laws of the United States if there are reasonable grounds to believe that the person to be arrested has committed or is committing such a felony.

2. I am employed as a Special Agent with ATF and have been so since April 2021. I am presently assigned to ATF's Cleveland Field Office. I am a graduate of the ATF National Academy, located at the Federal Law Enforcement Training Center in Glynco, Georgia. The ATF National Academy consists of 16 weeks of training regarding subjects such as firearms trafficking, unlawful possession of firearms and ammunition, unlawful dealing in firearms, unlawful possession and/or use of explosives, improvised explosive devices, arson investigations, execution of arrest and search warrants, and criminal procedure. In conducting investigations, I have utilized a variety of investigative techniques and resources, including but not limited to surveillance, confidential informants, controlled purchases, electronic surveillance, exploitation of telephone and social media data, interviews, and the review of financial documents.

3. The facts contained in this Affidavit are based upon my personal knowledge of the investigation, in addition to my general knowledge, training, and experience, and the observations, knowledge, training, and experience of other officers and agents. All observations referenced below that were not personally made by me, were relayed to me by those who made such observations, either verbally or via reports written by those agents and/or officers.

4. This Affidavit contains information necessary to support probable cause for this application. It is not intended to include each, and every fact and matter observed by me or law enforcement or known to the government or serve as verbatim or transcribed accounts of interviews referenced in the affidavit.

PROBABLE CAUSE

5. In September of 2023, the Federal Bureau of Investigation (FBI) Canton Resident Agency Office requested assistance from Bureau of Alcohol, Tobacco, Firearm and Explosives (ATF) in reference to Christopher **MACHAMER**, believed to be involved in the manufacture and sale of short-barrel rifles¹ without a license.

6. A review of the ATF Federal Licensing System showed that **MACHAMER** was issued a Type 01 Federal Firearms License (FFL), Dealer Only (buy, sell, trade) on March 9, 2021. Prior to the expiration date of April 1, 2024, **MACHAMER** voluntarily went out of business and submitted his records to ATF, as required when closing an FFL-licensed business, on April 6, 2022. This license was issued for a business at 5538 Lafayette, Medina, Ohio, under the name Tactical Distribution. The second license **MACHAMER** held was a Type 07 Federal Firearm

¹ The term “short-barrel rifle,” as used herein, refers to a firearm that is a rifle with a barrel less than 16 inches in length and/or a modified rifle, which has a total length of less than 26 inches. Pursuant to 26 U.S.C. § 5861(d), it is illegal for any person to receive or possess a short-barreled rifle which is not registered to him in the National Firearms Registration and Transfer Record. Pursuant to 26 U.S.C. § 5861(e), it is illegal for any person to transfer such a weapon without properly registering it in the National Firearms Registration and Transfer Record.

License, which allowed the activities of a Type 01 license but also permitted manufacturing firearms for resale. The Type 07 license was issued on November 6, 2019. Prior to the license expiration date of December 1, 2022, **MACHAMER** voluntarily went out of business and submitted his records to ATF on January 12, 2022. This license was issued for a business at 2188 Mohler, North Canton, Ohio, under the name Christopher **MACHAMER**. An E-Trace² review of both licenses showed approximately 57 traces linked to **MACHAMER** prior to the business closing. Law enforcement confirmed at no point during this investigation has **MACHAMER** been a licensed firearms dealer.

7. A review of transactional information from Bear Creek Arsenal, a firearms parts manufacturer based in Sanford, North Carolina, that specializes in AR-15 rifle parts, related to **MACHAMER** showed that on September 11, 2023, and September 12, 2023, **MACHAMER** purchased ten (10) AR-15 upper receivers³ with 7.5” barrels (20 total). On November 13, 2023, **MACHAMER** purchased twenty (20) AR-15 upper receivers with 7.5” barrels. The AR-15 manufacturing parts were shipped to **MACHAMER** at 2188 Mohler Drive NW, North Canton, Ohio, a residence owned by **MACHAMER’S** parents and associated with **MACHAMER** in this investigation.

² The term E-Trace refers to a web-based application that is used to trace the purchase and/or use history of firearms involved in crimes. E-trace is used to trace a crime gun from its original manufacturer or importer, through the wholesale/retail distribution chain, to the first person who purchased it from an FFL.

³ An upper receiver is the portion of an AR firearm that connects the barrel, bolt carrier group, and charging handle to the lower receiver of the firearm. Based on my training and experience, I know that an upper receiver is required for the manufacture and assembly of an AR-15 rifle.

8. On November 30, 2023, a records check of sales from Fin Feather Fur Outfitters, showed that on November 18, 2023, **MACHAMER** purchased twenty-eight (28) Anderson Manufacturing AR-15 lower receivers.⁴

9. On January 3, 2023, FBI SA Austin Johnston obtained federal search warrants in the Northern District of Ohio for **MACHAMER'S** residence, 1321 Clinton Avenue SE, North Canton, Ohio 44720, and **MACHAMER'S** parents' residence, 2188 Mohler Drive NW, North Canton, Ohio 44706. The federal search warrants were signed by United States Magistrate Judge Amanda M. Knapp.

10. On January 4, 2023, surveillance units were put in place at **MACHAMER'S** Clinton Avenue residence. **MACHAMER** was observed exiting the residence at approximately 10:05a.m. and placing a black case into the back of his black Chevrolet Tahoe, Ohio License Plate #JTR5400. **MACHAMER** left the residence driving the Chevrolet Tahoe. A traffic stop was conducted on **MACHAMER** and subsequent to a probable cause vehicle search, five (5) unserialized AR-15 style short barrel rifles were located in the vehicle.

11. The federal search warrant was then executed at **MACHAMER'S** Clinton Avenue residence at approximately 10:40a.m. During the search, Agents found the following items of evidentiary value:

- One (1) fully assembled AR-15 style rifle with a barrel measuring approximately 9 ¼ inches, with an obliterated serial number;
- One (1) AR-15 style lower receiver with an obliterated serial number;

⁴ A lower receiver is the section of an AR-15 rifle which is considered the actual firearm and is to be required to be serialized. Due to its classification as a firearm, the purchase of lower receivers must go through and FFL.

- Ten (10) fully assembled AR-15-style rifles with barrels measuring approximately 9 ¼ inches, bearing no serial numbers;
- Nine (9) AR-15-style lower receivers, bearing no serial numbers;
- One (1) drill press (covered and surrounded in aluminum shavings);
- Two (2) “Ghost Gunner” brand CNC mills (both containing aluminum shavings);
- Twenty-five (25) serialized AR-15 style lower receivers;

12. The federal search warrant at **MACHAMER’S** parents’ Mohler Drive residence was executed at approximately 12:40p.m. During the search, a safe was identified to be owned and utilized by **MACHAMER**. In the safe identified as **MACHAMER’S**, Agents found the following items:

- Five (5) AR-15-style rifles;
- Two (2) short barrel shotguns;
- Six (6) handguns;
- Eight (8) firearm suppressors;
- One (1) AK-47 style lower receiver;
- \$3,000 in United States Currency

13. **MACHAMER** was brought back to the Canton FBI Resident Agency, advised of his constitutional warnings, and agreed to speak with law enforcement. **MACHAMER** was provided a waiver of constitutional rights form which **MACHAMER** signed.

14. **MACHAMER** advised that the firearms located inside the Black Chevrolet Tahoe were being transported to an individual, whom **MACHAMER** identified as “Burt.” **MACHAMER** advised that he intended to sell the firearms to “Burt,” who he had a previous arrangement with regarding the resale of the firearms. **MACHAMER** stated he would provide

the firearms to “Burt” and “Burt” would re-sell the firearms. **MACHAMER** advised that he would sell the firearms to “Burt” for \$500.00 each. **MACHAMER** identified “Burt” as a repeat customer and stated that he had sold approximately 10 to 12 complete, short barreled, un-serialized AR-15 style rifles, to “Burt.”

15. **MACHAMER** advised that typically he would keep approximately fifteen (15) to twenty (20) firearms “pre-made” and ready for sale. As those firearms would sell, **MACHAMER** advised he would create more utilizing the “Ghost Gunner” CNC drill machines and drill press which were located in the kitchen and living room area of **MACHAMER’S** Clinton Avenue residence. **MACHAMER** stated he purchased approximately fifty (50) 80% lower receivers to be used in conjunction with the “Ghost Gunner” CNC machines to manufacture completed AR-15 style lower receivers. As a side note, an 80% receiver, or an 80% complete, or unfinished receiver, is a common term used to describe an item that some may believe has not yet reached a stage of manufacture, but which meets the definition of a firearm frame or receiver according to the Gun Control Act of 1968 (GCA). 80% receivers typically require jigs, CNC devices, or tooling to remove internal material and additional fabrication to meet GCA frame or receiver requirements.

16. **MACHAMER** also acknowledged that the firearms were manufactured with barrels under 16 inches in length. **MACHAMER**, who previously held a Federal Firearms Manufacturing License, admitted knowledge of the requirement to be a Special Occupancy Taxpayer (SOT) to deal in a special class of firearms called National Firearms Act (NFA) Firearms. NFA firearms are required to have a serial number which is recorded in the in the National Firearms Registration and Transfer Record (NFRTR). Additionally, in order to be in possession of firearms that fall under the NFA, the individual in possession of the NFA firearm

must have the firearm registered in the NFRTR. The short barrel rifles located inside **MACHAMER'S** vehicle and residence were not serialized and as such were unable to have been recorded, as required, in the NFRTR.

17. **MACHAMER** acknowledged the possession of twenty-five (25) serialized, Anderson Manufacturing, AR-15 style lower receivers, which were found inside **MACHAMER'S** Clinton Avenue residence. **MACHAMER** advised these firearms were purchased from Fin Feather Fur Outfitters in Canton, Ohio. A complete AR-15 style, Anderson Manufacturing, short-barreled rifle, with an obliterated serial number, was located on top of the box which contained the twenty-five (25) Anderson Manufacturing, AR-15 style, serialized, lower receivers. **MACHAMER** advised he knowingly drilled out (obliterated) the serial number on the Anderson Manufacturing serialized AR-15 style lower receiver, and provided the firearm to "Burt." **MACHAMER** advised "Burt" returned the firearm and advised nobody wanted to buy the firearm due to the drilled out serial number. **MACHAMER** then advised the remaining Anderson Manufacturing serialized AR-15 style lower receivers were going to be placed in his long-term inventory for use later.

CONCLUSION

18. Based upon the above listed facts and circumstances, I assert there is probable cause to believe that on or about January 4, 2024, Christopher MACHAMER did commit the violations of the following federal firearms laws:

- a. Title 18, United States Code, Section 922(k), Possession of a Firearm with an Obliterated Serial Number;
- b. Title 26, United States Code, Section 5861(d), Receiving or Possessing an NFA Firearm not Registered to the Possessor in the NFRTR; and

c. Title 26, United States Code, Section 5861(f), Manufacturing a Firearm in Violation of NFA.

I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge, information, and belief.

Respectfully Submitted,



Danielle R. Gajewski
Special Agent, ATF

Subscribed and sworn to me this 5th day of January 2024 via telephone after submission by reliable electronic means. FED. R. CRIM. P. 4.1 and 41(d)(3).



AMANDA M. KNAPP
UNITED STATES MAGISTRATE JUDGE

Christopher John MACHAMER, DOB: 06/04/1997

